

APPLICANT(S): YELLIN, Daniel
SERIAL NO.: 09/511,737
FILED: 02/24/2003
Page 7

REMARKS

The present Amendment is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the pending claims are respectfully requested.

Status of Claims

Claims 1-11, 13, 16, 18, 23-27, 29-30, 41 and 53-60 are pending in the application. Claims 1, 9, 10, 13, 23-27, 29, 30, and 41 have been amended. Claims 5-8, 20-22, 31-40 and 42-52 have been canceled. New claims 54-60 have been added.

Claims 5-8 and 20-22, 31-40 and 42-52 have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicant reserves the right to reenter these claims in divisional and/or continuation applications.

Applicant respectfully asserts that no new matter has been added to the application.

The Telephone Interview

Applicants wish to thank the Examiner for granting and attending a telephone Interview with Applicant's representative on August 19, 2003. In the interview, claim rejections under 35 U.S.C 112, first paragraph, and under 35 U.S.C 103(a) were discussed. Applicant presented arguments traversing the Examiner's statements on pages 2-3 of the Office Action. Specifically, the Examiner contended that the language "propagation of a value" is not supported by the drawings. Applicant argued that the rejected claim language, e.g., "propagation of a value", is clearly supported by the specification and drawings. Further, without conceding to the contention that the claim language is not supported by the drawings, Applicant pointed out that enabling support for claimed elements may be established by any part of the specification, drawings and/or original claims and need not be supported separately in the drawings.

APPLICANT(S): YELLIN, Daniel
SERIAL NO.: 09/511,737
FILED: 02/24/2003
Page 8

Regarding the obviousness rejections, Applicant argued that the rejections under 35 U.S.C 103(a) were improper, inter alia, because the references cited were improperly combined by the Examiner. Additionally, in an attempt to reach an agreement with the Examiner, without conceding to any of the rejections, Applicant proposed various changes in claim language to clarify the claimed subject matter. The Examiner did not accept nor rejected any of Applicant's proposals. No agreement had been reached in the Interview; however, the Examiner stated that Amendments to the claims as discussed will be considered in reviewing the written response.

Notwithstanding the above discussion, the Examiner repeatedly stated during the Interview that he does not intend to allow this Application, regardless of Applicant's proposed arguments and Amendments. The Examiner did not offer any reasonable explanation for this statement. Applicant would like to point out that the Examiner's statement implies a categorical, subjective and non-specific rejection of the application, without addressing the merits of the case. Such a categorical rejection is improper and may jeopardize Applicant's prospects for an objective Examination on the merits. The Examiner is requested to reassure the Applicant that the Examination will be henceforth conducted based solely on the facts and the applicable statutes, rules and regulations.

Remarks to the Newly Added Claims

Applicant respectfully asserts that new claims 54-60 have been added in order to further define what the Applicant considers to be the invention. Support for claims 54-56 may be found, for example, in Figs. 3 and 4 and at least in the description on page 7 lines 19-32, page 8 (the entire page), and page 9 lines 1-19. Support for claims 57-60 may be found at least in Figs 7A-7B and at least in the description on pages 14 and 15. Applicant respectfully asserts that no new matter has been added.

It is respectfully asserted that new claims 54-60 are new and non-obvious. Specifically, it is asserted claims 54-60 are patentable over the references thus far cited by the Examiner and any combinations of these references.

APPLICANT(S): YELLIN, Daniel
SERIAL NO.: 09/511,737
FILED: 02/24/2003
Page 9

Remarks to Newly Canceled Claims

Claims 5-8 and 20-22 have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicant reserve all rights in these claims to file divisional and/or continuation patent applications.

CLAIM REJECTIONS

35 U.S.C. § 112 Rejections

In the Office Action, the Examiner rejected claims 1-11, 13, 16, 18, 20-27, 29-30, 41 and 53 under 35 U.S.C. § 112, first paragraph, contending that the specification, while being enabling for "operating" logic function(s), in functional unit 44, "when all the inputs of the respective functional unit 44 are valid" (i.e., specification, page 6, line 23 to page 7, line 3 and FIG. 3) does not reasonably provide enablement or "propagation of a value into or within the adapter based on the validity of an input signal" (claim 1).

Claims 5-8 and 20-22 have been canceled and claims 1, 9, 10, 13, 23-27, 29-30, 41 have been amended. It is respectfully submitted that the amended set of claims meets the requirements of 35 U.S.C. § 112, first paragraph.

Amended independent claims 1, 23 and 29 were amended, inter alia, to replace the term "value" with the phrase --signal value--, which may be more appropriate. Applicant respectfully submits that there is ample support in the specification for the term "value" with reference to the term "signal" and thus the "phrase" "signal value" is clearly supported by the specification.

It is noted that some of the language of canceled claim 5 has now been incorporated in amended claim 1, and that independent claims 23 and 29 have been amended in a manner similar to that of claim 1. It is respectfully submitted that these amendment are fully enabled by the specification. Further, it is submitted that these amendments merely address matters of form and do not change the literal scope of the claims in any way or result in any prosecution history estoppel.

In view of the above, Applicant respectfully asserts that amended claims 1, 23-27 and 29-30 are proper under 35 U.S.C 112 and requests that the rejections be withdrawn.

APPLICANT(S): YELLIN, Daniel
SERIAL NO.: 09/511,737
FILED: 02/24/2003
Page 10

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1-11, 13, 16, 18, 20-27, 29-30, 41 and 53 under 35 U.S.C. § 103(a), as being unpatentable over Fettweis or Schwartz (US 5,197,020) in view of van der Wal (US 5,561,617).

In view of the above amendments and the following remarks, Applicant respectfully requests that this rejection be withdrawn.

Claims 5-8 and 20-22 have been canceled, and thus, Applicant respectfully submits that the rejection of these claims is now moot and does not need to be addressed.

As to the non-canceled rejected claims 1-11, 13, 16, 18, 23-27, 29, 30, 41 and 53, it is well established that an obviousness rejection requires a teaching or a suggestion by the relied upon prior art of all the elements of a claim (MPEP 2142).

Applicant respectfully asserts that neither Fettweis or Schwartz nor van der Wal, alone or in combination, teach or suggest the subject matter recited by claims 1-11, 13, 16, 18, 23-27, 29, 30, 41 and 53, as amended.

Specifically, with regard to claims 1-11, 13, 16, 18, 23-27, 29, 30 and 41, none of Fettweis, Schwartz or van der Wal, alone or in combination, discloses, teaches or suggests a wave digital filter (or related method), where an adapter has two or more inputs and a controlled gate (or a corresponding method limitation) to enable or disable propagation of signal values into or within the adapter based on the validity of signals received at the two or more inputs, as roughly claimed by independent claims 1, 23, and 29 of this application, as amended.

As to independent claim 53, Applicant respectfully asserts that none of Fettweis, Schwartz or van der Wal, alone or in combination, teaches or suggests "a controlled gate to control the propagation of a value generated by a first adapter into a second adapter based on the validity of the value", as recited in previously presented claim 53. Accordingly, Applicant respectfully asserts that a *prima facie* case of obviousness of amended claim 53 in view of the cited references cannot be established and Applicant respectfully requests that the rejection of claim 53 be withdrawn.

APPLICANT(S): YELLIN, Daniel
SERIAL NO.: 09/511,737
FILED: 02/24/2003
Page 11

Applicant further asserts that a *prima facie* case of obviousness of amended claims 1, 23, 29 and 53 in view of the cited references cannot be established because there is no motivation for a person skilled in the art to combine the references of Fettweis or Schwartz with the reference of van der Wal, which relate to completely different types of devices. The reference of Fettweis or Schwartz teaches a wave digital filter and the reference of van der Wal teaches a pyramid processor integrated circuit for multi-resolution filtering.

Additionally, a combination of the delay element (102) of van der Wal with the adapter of Fettweis or Schwartz, as the Examiner suggested, would counter the intended function of the controlled gate 92 of Fig. 7, which is to enable the propagation of a valid value when other values on the other inputs of the adapter are valid. The intended function of the delay unit (102) of van der Wal is to "selectively delay the signals IN1 and IN by three periods of system clock signal CK to produce output signals IN1' and IN2'." (van der Wal FIG. 2 and column 5, lines 36-43). Thus, the delay unit (102) of van der Wal provides a constant delay of $3T$, which is clearly not varied based on the validity of the input signal.

Accordingly, Applicant respectfully asserts that a *prima facie* case of obviousness of claims 1, 23, 29 and 53 in view of the cited references cannot be established, and Applicant respectfully requests that the rejection of these claims be withdrawn.

Since claims 2, 9, 10, 13, 16, 18 and 41 are dependent from independent claim 1, claims 24-27 are dependent from claim 23, and claim 30 is dependent from claim 29, Applicant respectfully requests that the rejection of these claims be withdrawn for at least the same reason.

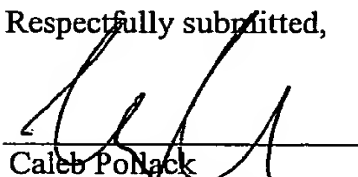
In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

APPLICANT(S): YELLIN, Daniel
SERIAL NO.: 09/511,737
FILED: 02/24/2003
Page 12

Please charge any fees associated with this paper to deposit account No. 05-0649.

Respectfully submitted,


Caleb Pollack
Attorney for Applicant(s)
Registration No. 37,912

Dated: September 23, 2003

Eitan, Pearl, Latzer & Cohen Zedek, LLP.

10 Rockefeller Plaza, Suite 1001
New York, New York 10020
Tel: (212) 632-3480
Fax: (212) 632-3489